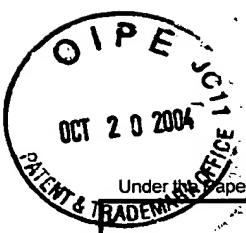


10-22-04

MS RCE  
1632



PTO/SB/30 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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<b>Request For Continued Examination (RCE) Transmittal</b>  Address to: MS RCE Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450	Application Number	09/241347-Conf. #8608
	Filing Date	February 2, 1999
	First Named Inventor	Hermann BUJARD
	Art Unit	1632
	Examiner Name	R. R. Shukla
	Attorney Docket Number	TTV-009C4CNRCE

**This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.**  
Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_

ii. ☐ Other \_\_\_\_\_

b. ☒ Enclosed

i. ☒ Amendment/Reply

iii. ☐ Information Disclosure Statement (IDS)

ii. ☐ Affidavit(s)/Declaration(s)

iv. ☒ Other Appendices A-D (24 pages)

2. **Miscellaneous**

a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)

b. ☐ Other \_\_\_\_\_

3. **Fees** The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 12-0080. I have enclosed a duplicate copy of this sheet.

i. ☒ RCE fee required under 37 CFR 1.17(e)

ii. ☒ Extension of time fee (37 CFR 1.136 and 1.17)

iii. ☐ Other \_\_\_\_\_

b. ☐ Check in the amount of \$ \_\_\_\_\_ enclosed

c. ☐ Payment by credit card (Form PTO-2038 enclosed)

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED			
Signature		Date	October 20, 2004
Name (Print/Type)	DeAnn F. Smith	Registration No.	36,683

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EV 4199298040 US, in an envelope addressed to: MS RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: October 20, 2004      Signature: (DeAnn F. Smith)

09241347  
120080  
00000008  
10/25/2004 HALI11  
02 FC:1253  
790.00 CR



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: Hermann Bujard *et al.*

Serial No.: 09/241,347

Filed: February 2, 1999

For: *Animals Transgenic for a Tetracycline-Regulated Transcriptional Inhibitor*

Attorney Docket No.: TTV-009C4CNRCE

Group Art Unit: 1632

Examiner: R. Shukla

MS RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

**CERTIFICATION UNDER 37 CFR 1.10**

Date of Deposit: October 20, 2004

Mailing Label Number: EV419929840US

I hereby certify that this 37 CFR 1.53(d) request and the documents referred to therein as enclosed are being deposited with the United States Postal Service on the date indicated above in an envelope as "Express Mail Post Office to Addressee" service under 37 CFR 1.10 and addressed to MS RCE Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, Washington, D.C. 20231.

DeAnn F. Smith, Esq  
Name of Person Mailing Paper

  
Signature of Person Mailing Paper

**AMENDMENT AND RESPONSE**

Dear Sir:

This is a response to the Advisory Action dated September 13, 2004 and the final Office Action mailed from the Patent Office on April 20, 2004. A Request for a three month extension of time and a Request for Continued Examination are being filed concurrently herewith. Amendments to the claims begin at page 2 of this Amendment and Response. Remarks/Arguments begin on page 8.